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5 Attorney for Defendant  
**MARK FLORES**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

10 THE UNITED STATES OF AMERICA, ) CR 17-116 HSG  
11 Plaintiff, )  
12 vs. ) STIPULATION AND  
13 MARK FLORES ) [PROPOSED] ORDER  
Defendant. ) REGARDING CONDITIONS  
 ) OF RELEASE AND APPEARANCE

With the agreement of counsel for both parties, with United States Pretrial Services, and with the consent of defendant Mark Flores, the Court enters this order documenting an amendment to the CONDITIONS OF RELEASE AND APPEARANCE dated March 14, 2017. The parties agree, and the Court finds and holds as follows:

1. Defendant appeared before this Court on March 14, 2017 for a detention hearing pursuant to 18 U.S.C. §§ 3142(e) and 3142(f). At that time, this Court released the defendant on a \$75,000.00 unsecured bond, with among other standard conditions, specifically the following added conditions:

- a. Electronic detention at home other than for pre-approved legal and medical appointments;
- b. Surrendering of his DEA registration;

- 1                   c. No practicing of medicine or attempts to provide medical care to anyone except a  
2                   family member in an emergency;
- 3                   d. Shall not possess any prescriptions or prescription pads;
- 4                   e. Shall have no contact with people he formerly prescribed drugs to; and
- 5                   f. Shall refrain from gambling or entering into any gambling establishments.
- 6                   2. On or about July 17, 2017, counsel for Mr. Flores and the United States, as well as  
7                   Pretrial Services Officer Nelson Barao agreed that Mr. Flores' conditions of release could  
8                   be modified to allow the defendant to leave the residence for physical exercise, family  
9                   activities, and outdoor activities on a limited schedule as follows:
- 10                  a. Mondays: 9:00 a.m. until 11:30 a.m.;
- 11                  b. Thursdays: 9:00 a.m. until 11:30 a.m.;
- 12                  c. Saturdays: 10:00 a.m. until 1:00 p.m.; and
- 13                  d. By approval of Pretrial Services.
- 14                  3. On or about October 5, 2017, counsel for Mr. Flores and the Government agreed that  
15                  Mr. Flores be allowed to leave his home from 8:00 a.m. until 8:00 p.m. to allow  
16                  additional counseling and treatment, as well additional meetings in preparation for  
17                  resolution of Mr. Flores' case. United State Pretrial Services Officer Nelson Barao does  
18                  not oppose this request. The Court signed the proposed Order, and Mr. Flores'  
19                  conditions of release were amended.\|
- 20                  4. At this time, both counsel for the Government and Mr. Flores as well as U.S. Pretrial  
21                  Services, now agree that Mr. Flores be allowed to travel with his wife and two minor  
22                  children to Disneyland, Anaheim, CA in the Southern District of CA for one week for the  
23                  Christmas holiday. Mr. Flores will travel by car with his family and reside at Disneyland  
24                  Hotel and only travel to the amusement park. Mr. Flores will travel from December 22,  
25                  2017 through December 29, 2017.

5. Both Assistant U.S. Attorney Frank Riebli and U.S. Pretrial Services Officer Nelson Barao have been advised of this request and do not object to a modification of his electronic home detention release in order to accommodate this curfew.
6. Accordingly, and with the consent of all Parties, the Court orders that the defendant's conditions of release and appearance are so AMENDED.

## **IT IS SO STIPULATED.**

DATED: November 16, 2017

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**JONATHAN D. McDougall**  
Attorney for Defendant

DATED: November 16, 2017

/s/                           
**FRANK RIEBLI**  
Assistant U.S. Attorney

DATED: 11/20/17

Kandis Westmore  
U.S. MAGISTRATE JUDGE WESTMORE

1 Attestation of Filer

2  
3 In addition to myself, the other signatory to this document is AUSA Frank Riebli. I attest that I  
have his permission to enter a conformed signature on his behalf and to file the document.

4  
5 Dated: November 16, 2017

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7 JONATHAN D. MCDOUGALL  
8 Attorney for Defendant  
9 Mark Flores

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